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OFFICE OF THE MEDICAL EXAMINER OF HARRIS COUNTY JOSEPH A. JACHIMCZYK FORENSIC CENTER

1885 OLD SPANISH TRAIL HOUSTON, TEXAS 77054-2098

Case 73-3355

January 4, 1994

Supplemental and Final Diagnosis and Opinion Re: The Body of Unknown #15

HISTORY: Medical Legal #73-3355 was found on August 9, 1973 buried alone in the ground in a boat shed at 4500 Silverbell in Houston. There were an additional sixteen (16) decedent's recovered from this same location. Five (5) decedent's were buried alone while the remainder were; two (2) each in four (4) graves while four (4) were found together in a single site.

The surviving suspects in this event were Elmer Wayne Henley and David Brooks who acknowledged that Mark Steven Scott had been murdered and his body placed in the boat shed.

All decedents involved in this event have been identified except; 73-3349 (#11) found in boat shed in a single grave; 73-3355 (#15) found in boat shed in a single grave; 73-3356 (#16) found in boat shed in a single grave; 73-3378 (#22) found at Lake Sam Rayburn.

Twenty six (26) of twenty seven (27) decedents were examined by the Harris County Medical Examiner including the four (4) mentioned in the last paragraph. Head hair specimens from each decedent so examined were collected and preserved with the skeletal remains and remain so as of this date.

Personal data of the remaining unidentifieds is depicted on the attached exhibit #1.

EVENTS LEADING TO IDENTIFICATION: As new information, suggestion or technology became available the files of the remaining unidentified decedents would be reviewed and whatever of new character would be applied. It was in this manner that ML73-3355 (#15) came to be compared to the known missing person Mark Steven Scott. Scott was born on

July 26, 1954, according to his father, Mr. Walter Scott. Mark was last seen on April 20, 1972. Mr. Scott described his son as about 6' tall, weighing 160 to 170 lbs.

During the ongoing investigation, Mr. Walter Scott made available to this office a shoe box containing hair clippings from his two sons, Jeffrey and Mark Scott. In November of 1989 these hair samples were examined by Charles Linch, a criminalist recently hired by this office. The hair samples recovered during examination of 73-3355 (#15) were also examined to determine if a match could be made with either of the hair samples from the shoe box. On November 17, 1989, Linchmatched the hair of Jeffrey Scott to hair from the shoe box. Linchmatched Mark Scott's hair from the shoe box with the hair taken during the examination of 73-3355 (#15).

In December 1989 we located a photograph of Mark Scott at the Harris County Sheriff's Office. This photograph was taken on March 5, 1972. On December 12, 1989 this photograph along with the skull and mandible of 73-3355 (#15) were taken to the headquarters of the Texas Department of Public Safety to undergo a procedure called video superimposition. The person conducting the procedure was Texas Department of Public Safety Forensic Artist Karen Taylor is the expert in this procedure. Taylor. She had done many such procedures prior to this one. At least one such examination had reached a district court and that court ruled the evidence admissible. It was Taylor's opinion that there was a match between the photograph of Mark Scott and the skull from ML73-3355 (#15). (Tape available)

On March 20, 1991 a specimen from the remains of ML73-3355 (#15) was forwarded to the Houston Police Department Crime Laboratory along with blood from the parents of Mark Scott, Mr. and Ms. Walter Scott. This specimen was submitted with four (4) other cases. Using the procedures available at the time RFLP (Restriction Band Fragment Length Polymorphism) the police department laboratory was unable to extract DNA of quality because of the degradation of the specimens available for analysis.

In the late months of 1992 the DNA laboratory in the Harris County Medical Examiner began working on a DNA procedure called PCR (Polmerase Chain Reaction), actually a procedure within a procedure. Such a procedure is very tedious and time consuming. On December 27, 1993 the Harris County DNA Laboratory completed its study which demonstrates that the DNA from the blood donated by Ms. Walter Scott when compared with the DNA extracted from the

Page -3-

bony remains of ML73-3355 (#15) is the same based on a 98.5% probability.

Therefore, it our opinion , within a reasonable medical certainty, that the remains of #15, ML# 73-3355. are those of Mark Steven Scott.

Joseph A. Jachimczyk, M.D., J.D. Chief Medical Examiner

Cecil Wingo

Chief Investigator

HARRIS COUNTY MEDICAL EXAMINER

ML# 73-3355

UNIDENTIFIED BODY ANTHROPOMETRY CHART

OF

PHYSICAL ATTRIBUTE	SUPPORTING INDICATOR
From Autopsy & Investigator Reports	Information from family of Mark Scott
White Male	White Male
Height: 70" to 72½"	Estimated height: 72"
Weight: Medium build	Date of birth: 7-26-54 (17 in 1972)
Clothing: none	
Lower right first bicuspid	Chipped jaw tooth on the right.
Chipped on buccal surface.	
Diastema between maxillary central	
Incisors apparent in 1972	Spaces in upper front teeth.
Photograph exhibit #7.	
Flaring of maxillary central	Front teeth extra big.
incisors.	0
Body was buried in boat shed.	Original claim of Henley and Brooks
Hair from shoe box matches.	Shoe box furnished by Mr. Walter
Hair from 73-3355 and from Jeffrey	Scott containing hair clipping from
Scott.	his sons Mark and Jeffrey Scott.
Video superimposition 73-3355	
skull over 1972 photograph	Texas Department of Public Safety
of Mark Scott matches.	Karen Taylor, forensic artist.
98.5 probability that DNA recovered	
from bone of 73-3355 is that of	Source: Dr. Elizabeth Johnson's
Mark Scott.	report, dated December 27, 1993.
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228-8311 EXT. 671 (DAY) Ext. 212 (NIGHT)

OFFICE OF THE MEDICAL EXAMINER OF HARRIS COUNTY

HARRIS COUNTY COURT HOUSE HOUSTON, TEXAS 77002

AUTOPSY REPORT

Case 73 - 3355

August 13, 1973

PATHOLOGICAL DIAGNOSIS ON THE BODY

OF

Unknown #15

Asphyxia due to strangulation.

OPINION

It is our opinion that the decedent, Unknown #15, came to his death as a result of asphyxia due to strangulation -Homicide.

Jachimczyk, M.D., J

Chief Medical Examiner

(See Companion Cases 73-3332, 73-3333, 73-3334, 73-3335, 73-3336, 73-3337, 73-3338, 73-3339, 73-3347, 73-3348, 73-3349, 73-3350, 73-3353, 73-3354, 73-3356 and 73-3357.)

POSTMORTEM EXAMINATION ON THE BODY OF

UNKNOWN #15

HISTORY: This body was one of seventeen bodies or skeletal remains recovered from Stall #11 at 4500 Silverbell Street, Houston, Texas, between 6:00 p.m. on August 8, 1973, and 8:00 p.m. on August 9, 1973. (See Companion Cases 73-3332, 73-3333, 73-3334, 73-3335, 73-3336, 73-3337, 73-3338, 73-3339, 73-3347, 73-3358, 73-3350, 73-3350, 73-3354, 73-3356 and 73-3357.)

AUTOPSY: The autopsy was performed by Chief Medical Examiner Joseph A. Jachimczyk, M.D., assisted by Assistant Medical Examiners G. Sheldon Green, M.D., and Ethel E. Erickson, M.D., and Dr. Paul G. Stimson, beginning at 3:10 p.m. on August 13, 1973, in the Harris County Morgue.

EXTERNAL APPEARANCE: The specimen consisted of a number of skeletal remains, some soft tissues mostly eaten away with lime, and amorphous plaster-like material, within which the head, long bones, ribs and hair were recognizable. The total weight of the specimen, including the plastic crashbag, was 56 pounds. There was also a strand of nylon cord similar to that seen in the other specimens. The cord was tied tightly around the arms and legs in a bundled up position. This was similar to that seen in the other bodies. The length of the legs was 36 inches from ankle bone up to the tip of the hip bone. The noose was photographed separately and was made up of nylon cord. The hair on the skull was dark brown and measured up to 7-1/2 inches in length. This was an approximate length, because of the scattering of the hair in the total specimen. There were no items of clothing present with these remains. Most of the back was held intact. There was some spinous musculature remaining. Most of the soft tissues, however, were gone. The right 8th, 9th and 10th ribs were fractured, posteriorly. The right 7th rib was a bifid rib.

The remains consisted of the following bones: skull, intact, Caucasian with predominantly male characteristics; mandible, intact; cervical vertebrae 3, 4, 6 and 7 (1, 2 and 5 missing); thoracic vertebrae 1 through 12; lumbar vertebrae 1 through 5; sacrum, right and left ilium, showing stage 2 fusion of the epiphyses of the iliac crests; manubrium; left ribs 1 through 12; right ribs 2 through 12 (1 missing). There were fresh or very recent fractures of right ribs 8, 9 and 10, laterally. Rib 8 was completely broken. Ribs 9 and 10 showed

greenstick type fractures with disruption of the lateral cortex and the medial cortex remaining intact. Right rib 7 was bifid. The right and left clavicles were present. The distal epiphyses showed stage 4 fusion. The proximal epiphyses showed stage 0 fusion. The right and left scapulae were present. The corocoid and achromial epiphyses showed stage 4 fusion. distal angle epiphyses showed stage 3 fusion. Also present were femur, right and left; tibia, right and left; fibula, right and left; left patella. Right foot, the following bones were present: calcaneus, talus, navicular, 1st, 2nd and 3rd cuneiform, cuboid, the 1st, 2nd, 3rd, 4th and 5th metatarsals. Left foot, the following bones were present: calcaneus, talus, navicular, 1st, 2nd and 3rd cuneiforms, cuboid, 1st, 2nd, 3rd, 4th and 5th metatarsals. The right and left humeri were present. There was stage 4 fusion of both epiphyses. The right and left radii were present, showing stage 4 fusion of the proximal and distal epiphyses. The right and left ulnas were present, showing stage 4 fusion of the proximal and distal epiphyses. The left 3rd, 4th and 5th metacarpals and two proximal phalanges were present.

ESTIMATE OF AGE: The estimate of age was based upon the appearance of the base of the symphysis pubis. The symphysis was traversed by well defined ridge lines, but there was very slight early filling in between the posterior ends of the ridges. There was a well defined dorsal limiting margin. There was no evidence of a ventral bevel. The age was estimated at 20 to 21 years. The remainder of the skeleton was consistent with this age.

ESTIMATE OF HEIGHT: The estimate of height was based on the length of the femur, 50.2 centimeters. The height according to the formula of Trotter and Gleaser, white males, was 71-1/4 inches. A crosscheck for the general formula of Dupersius and Hatten, males, was also 71-1/4 inches. Therefore, the height was estimated to be between 70 and 72-1/2 inches. The bones were moderately, but not unusually heavy. It was estimated that this individual had a medium build or was a medium framed person.

DENTAL EXAMINATION

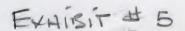
Utilizing the Universal System, the upper right and left third molars are in the crypts. There is occlusal caries in the upper right second molar, tooth 2. Occlusal caries in the upper right first molar, tooth 3. The upper right lateral and central, the upper left central and lateral are avulsed. These are teeth 7, 8, 9 and 10. There is a diastema present between the upper left cuspid and first bicuspid, tooth ll and 12. The upper left first molar has occlusal and buccal caries, tooth 14. The upper left second molar has occlusal caries, tooth 15. The lower left third molar, tooth 17, has occlusal caries. The lower left second molar, tooth 18, has mesial occlusal caries. The lower right second molar, tooth 31, has mesial occlusal caries. The lower right third molar, tooth 32, has occlusal caries. Both first lower molars, tooth 19 and tooth 30, have been extracted. The remaining molars have drifted mesially. There is a diastema present between the lower left cuspid and first bicuspid, tooth 22 and tooth Tooth 24 and tooth 25 are in lingual version. Tooth 23 and tooth 26 are in mesial labial rotation. Tooth 22 and tooth 27 in labial version, with slight mesial labial rotation. There is a very high palatal vault with constriction of the maxillary arch. Jaw relationships - there is a Class III on the right side, Class I in the molar area on the left side. Both first molars are in cross-bite. There is an anterior open bite and flaring of the maxillary centrals.

Paul G. Stimson, D.D.S., M.S.

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1885 OLD SPANISH TRAIL HOUSTON, TEXAS 77054-2098

December 27, 1993

Case: ML73-3355

Subject: Final Report of DNA Analysis

The following items pertaining to case #ML73-3355 were received in our DNA laboratory on October 14, 1992 for the purpose of mitochondrial DNA comparison:

- 1. Blood from Mary Scott, maternal reference
- 2. Bone sample (femur), from skeletal remains presumptively identified as those of Mark Scott.

A DNA extraction process was performed on each of the above samples. The extracted DNA was PCR amplified and sequenced in the hypervariable (HVR) regions 1 and 2 of the mitochondrial D-loop.

Sequence information consisting of approximately 600 bases was obtained for both the reference sample and the unknown bone sample.

The DNA sequences of the reference sample and the unknown bone sample are identical to each other in the 595 base overlapping region (see Appendix I). This implies a maternal relationship between the two samples.

The DNA sequence obtained from the maternal reference and unknown bone sample was compared to a database consisting of sequence information from 203 unrelated Caucasians; approximately 536 bases of sequence information in this database were available for comparison to the case samples. The DNA sequence obtained from Mary Scott and the unknown bone sample occurs in 3 of 203 individuals in this database. Therefore, approximately 1.5% of Caucasians would carry this sequence.

Conclusion:

On the basis of mitochondrial DNA analysis, the unknown bone sample from ML73-3355 cannot be excluded as originating from the biological offspring of Mary Scott.

Elizabeth A. Johnson, Ph.D.

APPENDIX I

ALIGNMENT OF OVERLAPPING SEQUENCE IN HYPERVARIABLE REGION 1

MSHVR1 - Mary Scott Reference Total number of bases: 385

73BHVR1 - CL73-3355 bone Total number of bases: 385

MSHVR1	16014 - CTATTCTCTGTTCTTTCATGGAGAAGCAGATTTGGGTACCACCCAAGTAT -50
MSHVR1	- TGACTCACCCATCAACAACCGCTATGTATTTCGTACATTACTGCCAGCCA
MSHVR1 73BHVR1	- CCATGAATATTGTACGGTACCATAAATACTTGACCACCTGTAGTACATAA -150
MSHVR1 73BHVR1	- AAACCCAATCCACATCAAAACCCCCTCCCCATGCTTACAAGCAAG
MSHVR1 73BHVR1	- CAATCAACCCTCAACTATCACACATCAACTGCAACTCCAAAGCCACCCCT -250
MSHVR1 73BHVR1	- CACCCACTAGGATACCAACAAACCTACCCACCCTTAACAGTACATAGTAC -300
MSHVR1 73BHVR1	- ATAAAGCCATTTACCGTACATAGCACATTACAGTCAAATCCCTTCTCGTC -350
MSHVR1 73BHVR1	- CCCATGGATGACCCCCCTCAGATAGGGGTCCCTTG -385

ALIGNMENT OF OVERLAPPING SEQUENCE IN HYPERVARIABLE REGION 2

MSHVR2 - Mary Scott Reference Total number of bases: 210

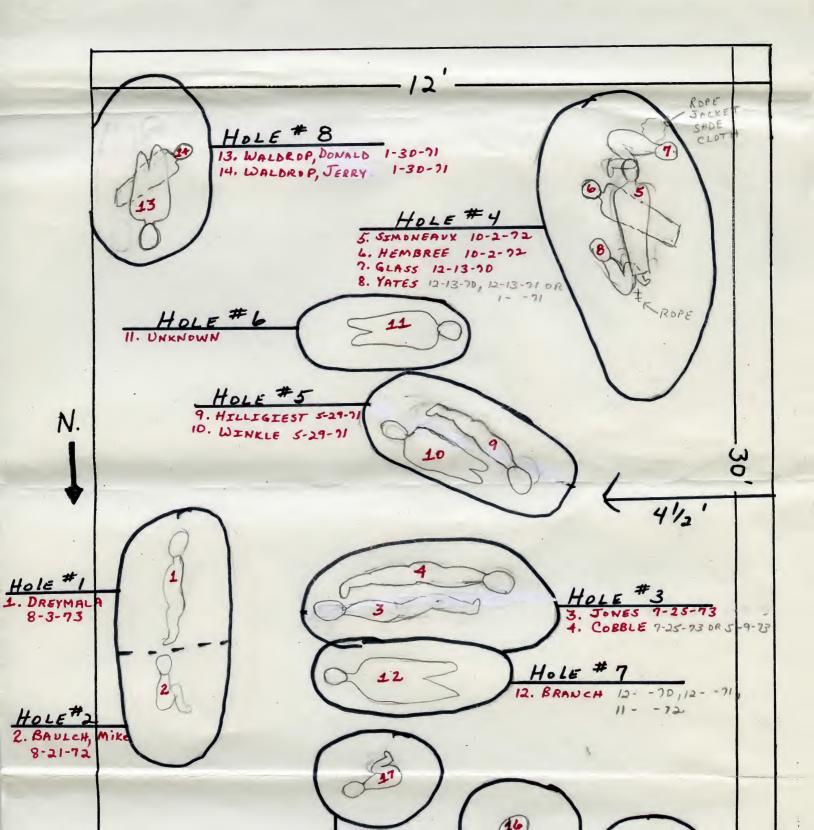
73BHVR2 - CL73-3355 bone Total number of bases: 210

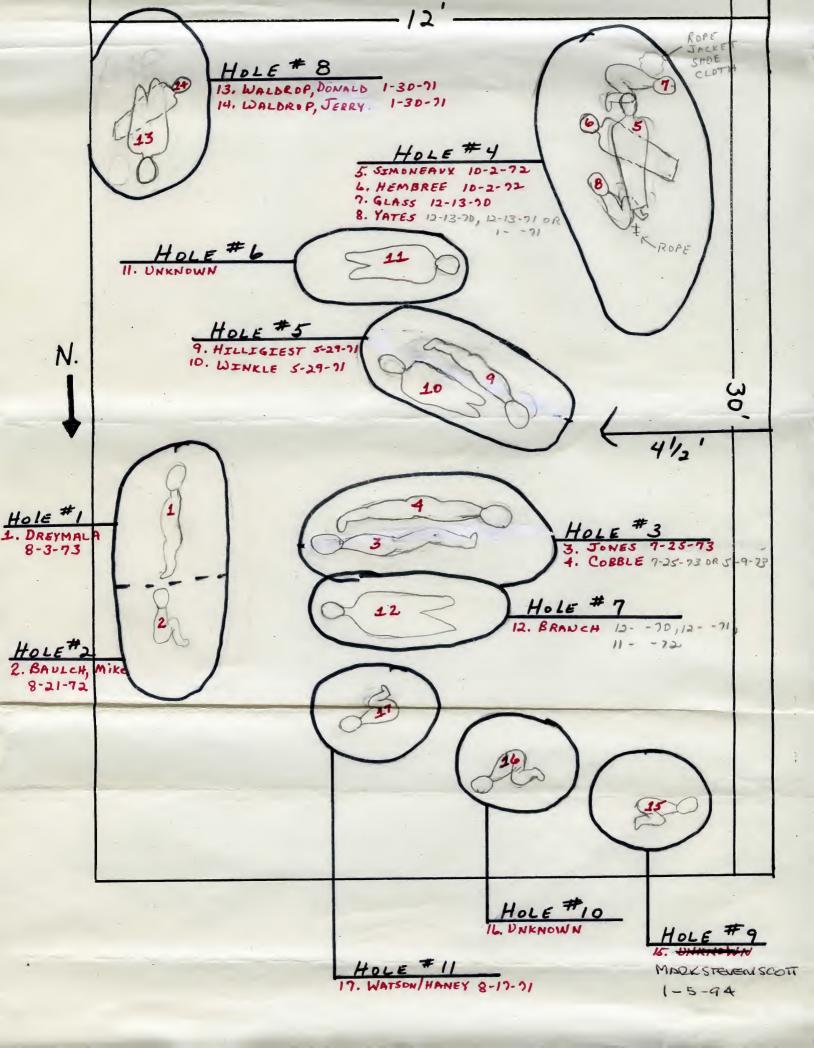
	57		
MSHVR2	- TTTTCGTCTGGGGGGTA	TGCACGCGATAGCATTGCGAGACGCTGGAGCCG	-50
73BHVR2			-50
MSHVR2	- GAGCACCCTATGTCGCAC	GTATCTGTCTTTGATTCCTGCCTCATCCTATTA	100
73BHVR2			-100 -100
MSHVR2		CAATATTACAGGCCAAGAMAGMAAGMAAGAAA	
73BHVR2	, , , , , , , , , , , , , , , , , , , ,	CAATATTACAGGCGAACATACTTACTAAAGTGT	-150 -150
MSHVR2		GTAGGACATA ATA ATA A CA AMEGA A TOTA	
73BHVR2			-200 -200
MSHVR2	- ACAGCCACTT -210		200
73BHVR2	- ACAGCCACTT -210 266		

An "N" denotes an unreadable/unconfirmed base

This cripo is from HPD Report sketched 到地路下生 BOAT SHED 1. Dreymala - Hole #1 2. Baulch, Michael - Wole #2 3. gover 3 Hole # 3 5. Simoneaux } Hale # 4 7. Glass 8. Haxes 9. Heligiest } Hore #5 10. Unknown - Hole # 6 12. Branch - Wale #7 Waldrop, Dorald ? Hole # 8 14. Waldrop, gerry 15. Lesknown - Hole # 9 16. Unknown- Wale # 10 Watson/ Harry no hole # HIGH ISLAND 18. Konen - Grave#1 Kepner - Grave #2 Blackburn - Grave #3 Darcia - Grave # 4 SAM RAYBURD 22. Unknown #1 23. Sellais #2 24. aguire #3 Delone 25, Baulch, Billy #5 Lawrence

Etwisite!





RECORD OF IDENTIFICATION PROCESSING Unk # 15 SKELETAL CHART LAST NAME - FIRST NAME - MIDDLE INITIAL (or unknown number) GRADE SERVICE NUMBER HAME OF CEMETERY, EVACUATION NUMBER, OR SEARCH AND GRAVE PLOT ROW ESTIMATED AGE (Years) ESTIMATED HEIGHT 20-21 70-721/2 inches SKELETAL MEASUREMENTS (Centimetern) SKELETAL MEMBER RIGHT LEFT METHOD SKULL HUMERUS ULNA RADIUS FEHUR TIBIA FIBULA REMARKS OR STATEMENT OF ANTHROPOLOGIST (Continue on reverse if more apace is required) R-7 rib Bifid Recent or fresh fractures ribs R-8,9,10

Bones present shaded in sed

THE PARTS PRESENT AS INDICATED ON THIS SKELETAL CHART REPRESENTS ONE AND THE SAME INDIVIDUAL

PHYSICAL ANTHROPOLOGIST (Name)

SIGNATURE

DD FORM 89

4

SYMBOLS MISSING FRACTURED + SHATTERED

ML73-3355

BLACK OUT PORTIONS NOT RECOVERED

INVESTIGATOR'S REPORT Autopsy Investigator: L.C.Kelly Case No_ View Decedent: Unknowns. Race___Sex___Age__ Address: Unknown. 8-9-73. Death:_____Found Place of Death: Unknown. Place of Inquest: Harris County Morgue and 4500 Silverbell st. Houston, Tex. Date and Time of Inquest: 8-9-73. A.M. P.M. Location, Position, and Surroundings of Body:_____ Clothing: Nude. Information: PARKKARY 73-3349-Unknown#11 found in the middle of Stall#11 Head to the west at 4:00PM. Head to the East at 4:00PM. 73-3350 " 73-3353 " #13 found in the middle of Stall#11 and next to the front door Head to the North at appox-6:00PM. 73-3354. found in the middle of stall#11 and next to the front door Head to the South. Unknown #14. at appox-6:00PM. 73-3355. found North end of stall#11 Head to the East next to East side of of stall#11 at appox-7:30 PM. Unknown#15. Difid rel-73-3356 found six foot from center of north door Head to the East at appox-8:00PM. Unknown#16. 73-3357 found six foot from center of north door beside Unknown#16 head to Fast at appox-8:00PM.Unknown#17 Property: None. Transferred to Morgue by: Bill Posey FH/Bob Lee FH. and Brookwood FH. Funeral Home Conducting Service:

CERTIFICATE OF DEATH STATE FILE NUMBER

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15c. COUNTY	1	15d. STATE			15e. ZIP CODE			15t. INSIL	DE CITY LIMITS	
Harris		Texas	3			77008			YES D	VO
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Walter	Tom Scott						Alice	Kraat	Z	
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Walter T. Scot	(by offi	ice records		ther					Texas	
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